

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

FOUNDATION STRUCTURES, INC.,

Plaintiff,

v.

SAFECO INSURANCE COMPANY OF
AMERICA,

Defendant.

CIVIL ACTION

No. 08-4763

FILED


AUG 25 2009

MICHAEL KONZ, Clerk
By _____ Dep. Clerk

ORDER

AND NOW, this 24 day of August, 2009, for the reasons set forth in the accompanying opinion, it is hereby **ORDERED** that the motion of plaintiff Foundation Structures, Inc. for entry of default judgment is conditionally **DENIED**. It is further ordered that the motion of defendant Safeco Insurance Company of America to set aside the entry of default is conditionally **DENIED**. If, within 30 days of this order, defendant Safeco submits evidence setting forth a meritorious defense, the court will reconsider lifting the default entered against defendant Safeco and will also reconsider plaintiff's request for entry of default judgment.

BY THE COURT:



Pollak, J.